

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)
)
v.)
) No. 3:15-CR-111
KEVIN GERDING)

MEMORANDUM AND ORDER

Now before the court is the defendant's first motion to continue his trial date. [Doc. 12]. Defense counsel states that additional time is needed to complete pretrial investigation, to prepare for trial, and to potentially "make a full resolution of all issues pending against the defendant." The prosecuting attorney does not oppose the requested continuance.

The court finds the motion well-taken and it will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). In light of the reasoning set forth by the defendant, the court finds that the failure to grant the motion would deny the defense reasonable time necessary for effective preparation. 18 U.S.C. § 3161(h)(7)(B)(iv). The motion requires a delay in the proceedings. Therefore, all the time from the filing of the motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A).

The defendant's motion [doc. 12] is **GRANTED**. This criminal case is **CONTINUED** from October 27, 2015, to **Tuesday, February 23, 2016, at 9:00 a.m.** in Knoxville. The new plea cutoff date is January 27, 2016.

IT IS SO ORDERED.

ENTER:

s/ Leon Jordan

United States District Judge